

## H. B. 959

## CHAPTER 597

## AN ACT AUTHORIZING THE NORTH CAROLINA MEDICAL CARE COMMISSION TO FINANCE, CONSTRUCT, PROVIDE AND ACQUIRE AND OTHERWISE UNDERTAKE HOSPITAL FACILITIES.

*The General Assembly of North Carolina do enact:*

**Section 1.** Chapter 131 of the General Statutes of North Carolina is hereby amended by adding a new article, to be designated "Article 16", and to read as follows:

"Article 16.

"Medical Care Commission Hospital Facilities Finance Act.

"§ 131-138. *Short Title.*—This Article shall be known, and may be cited, as the 'North Carolina Medical Care Commission Hospital Facilities Finance Act'.

"§ 131-139. *Legislative findings.*—It is hereby declared to be the policy of the State of North Carolina to promote the public health and welfare by providing means for the financing, acquiring, constructing, equipping and providing of hospital facilities to serve the people of the State and to make accessible to them modern and efficient hospital facilities.

The General Assembly hereby finds and declares that:

- (1) There is a need to overcome existing and anticipated physical and technical obsolescence of existing hospital facilities and to provide additional, modern and efficient hospital facilities in the State; and
- (2) unless measures are adopted to alleviate such need, the shortage of such facilities will become increasingly more urgent and serious; and
- (3) in order to meet such shortage and thereby promote the public health and welfare of the people of the State, it is necessary for the State to assist in the providing of adequate, modern and efficient hospital facilities in the State so that health and hospital care and services may be expanded, improved and fostered to the fullest extent practicable.

The General Assembly hereby further finds and declares that the financing, acquiring, constructing, equipping and providing of hospital facilities and such other facilities as may be incidental or appurtenant thereto are public uses and public purposes for which public money may be expended and that enactment of this Article is necessary and proper for effectuating the purposes hereof.

"§ 131-140. *Definitions.*—As used or referred to in this Article, the following words and terms shall have the following meanings, unless the context clearly indicates otherwise:

(1) 'bonds' or 'notes' means the revenue bonds or bond anticipation notes, respectively, authorized to be issued by the Commission under this Article;

(2) 'Commission' means The North Carolina Medical Care Commission, created by Article 13 of Chapter 131 of the General Statutes, or, should said Commission be abolished or otherwise divested of its functions under this Article, the public body succeeding it in its principal functions, or upon which are conferred by law the rights, powers and duties given by this Article to the Commission;

(3) 'cost' as applied to any hospital facilities means the cost of construction or acquisition; the cost of acquisition of property, including rights in land and other property, both real and personal and improved and unimproved; the cost of demolishing, removing or relocating any buildings or structures on land so acquired, including the cost of acquiring any land to which such buildings or structures may be moved or relocated; the cost of all machinery, fixed and movable equipment and